

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (Erie)**

IN RE: JACK J PETTIS AND TIFFANY A PETTIS Debtors	Case No. 23-10005-CMB
Freedom Mortgage Corporation, Movant, vs. Jack J Pettis and Tiffany A Pettis, Debtors, And Ronda J Winnecour, Respondent	Chapter 13

**STIPULATION AND CONSENT ORDER RESOLVING MOVANT’S RESPOSNE TO THE
TRUSTEE’S INTERIM NOTICE OF CURE OF ARREARS**

Freedom Mortgage Corporation (“**Movant**”), by and through its undersigned counsel, Brock & Scott, PLLC, Ronda J. Winnecour, (“**Respondent**”), and with the consent of the Debtors, JACK J PETTIS and TIFFANY A PETTIS, by and through counsel Daniel Foster (the “**Debtors**” and together with Movant and Respondents, the “**Parties**”), hereby file this Stipulation and Consent Order resolving Movant’s Response to the Trustee’s Interim Notice of Cure of Arrears, and stipulate as follows:

1. Debtors are the owners of real property located at 405 W GORE RD, Erie, PA 16509 (“**Property**”) and Movant is the holder of a mortgage (“**Mortgage**”) on Debtors’ Property. The Mortgage was executed by the Debtors on July 28, 2021 and recorded on August 10, 2021.

2. On March 15, 2023, Movant filed Claim No. 24 for the Mortgage and an Amended Proof of Claim on July 11, 2023. The Amended Claim was filed to include the required escrow analysis and added \$1,211,21 of escrow shortage to the Claim.

3. Prior to Movant's Amended Claim, on April 25, 2023 the Trustee paid the full amount of

arrears to Movant pursuant to the Claim filed on March 15, 2023.

4. The Trustee then filed the Interim Notice of Cure of Arrears, Dkt. No. 64, and Movant filed a disagree response, Dkt. No. 67, noting Movant's intent to file an amended claim to include the escrow analysis and the escrow shortage.

5. Movant filed a Second Amended Claim on October 4, 2023, at the request of the Trustee to remove credit for the April 25, 2023 payment by the Trustee thereby listing the full amount of arrears owed to Movant.

6. Following status conferences held on July 13, 2023, August 24, 2023 and October 5, 2023, the Parties have reached an agreement.

AND NOW, based upon the foregoing, and with the Parties intending to be legally bound, it is hereby ORDERED, ADJUDGED, and DECREED that:

a. The Second Amended Proof of Claim filed on October 4, 2023, Claim No. 24-3, listing arrears in the amount of \$3,032.73 shall govern and be paid in full by the Trustee.

b. The terms of this Stipulation and Consent Order may not be modified, revised, altered or changed to any extent, without the express written consent of the parties.

c. This court shall retain jurisdiction over this matter to enforce the terms of this Stipulation and Consent Order.

SO ORDERED:

Carlota M. Bohm, JUDGE

U.S. BANKRUPTCY COURT

CONSENTED TO BY:

/s/ Daniel P Foster

Daniel P Foster
1210 Park Avenue
Meadville, PA 16335
Email: dan@mrdebtbuster.com
Counsel for Debtor

Dated: 11/10/2023

/s/ Mario Hanyon

Mario Hanyon
(Bar No. 203993)
Attorney for Movant
BROCK & SCOTT, PLLC
3825 Forrestgate Dr.
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Counsel for Freedom Mortgage Corporation
Dated: 11/10/2023

/s/ Owen Katz

Ronda J. Winnecour
600 Grant Street
Suite 3250, USX Tower
Pittsburgh, PA 15219
Chapter 13 Trustee
Dated: 11/10/2023

In Re:	:	
JACK J PETTIS and TIFFANY A PETTIS,	:	Bankruptcy No. 23-10005-CMB
Debtor	:	Chapter 13
Freedom Mortgage Corporation	:	Document No. 76
Movant	:	Hearing Date & Time: 10/05/23 @ 01:30 pm
	:	
v.	:	
Ronda J Winnecour,	:	
Respondent(s)	:	

**SETTLEMENT AND CERTIFICATION OF COUNSEL REGARDING
TRUSTEE'S INTERIM NOTICE OF CURE OF ARRE**

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the Response filed on June 12, 2023.

The signature requirements of W.PA.LBR 5005-6 have been followed in obtaining the agreement of all parties and is reflected in the attached document.

The undersigned further certifies that:

- ☐ An agreed order and a redline version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.
- ☒ No other order has been filed pertaining to the subject matter of this agreement.
- ☐ The attached document does not require a proposed order.

Dated: November 3, 2023

By: /s/ Mario Hanyon
Signature

Mario Hanyon
Typed Name

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